

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR § 1.53(b))

Attorney Docket No. 09424-50003 RWE MIT

First Inventor Wu-Bo Li

Title Method of Nucleic Acid Sequence Selection

Express Mail Label No.

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents

**ADDRESS TO:**Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1.  Fee Transmittal Form (e.g., PTO/SB-17)  
*(Submit an original, and a duplicate for fee processing)*

2.  Applicant claims small entity status.  
See 37 CFR 1.27.

3.  Specification [Total Pages 33]  
*(preferred arrangement set forth below)*  
- Descriptive title of the invention  
- Cross Reference to Related Applications  
- Statement Regarding Fed sponsored R & D  
- Reference to sequence listing, a table, or a computer program listing appendix  
- Background of the Invention  
- Brief Summary of the Invention  
- Brief Description of the Drawings *(if filed)*  
- Detailed Description  
- Claim(s)  
- Abstract of the Disclosure

4.  Drawing(s) (35 U.S.C. 113) [Total Sheets 1]

5.  Oath or Declaration [Total Pages 2]  
a.  Newly executed (original or copy)  
b.  Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 18 completed)*  
i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR §§ 1.63(d)(2) and 1.33(b).

6.  Application Data Sheet. See 37 CFR 1.76.

7.  CD-ROM or CD-R in duplicate, large table or Computer Program  
*(Appendix)*

8. Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*

a.  Computer Readable Form (CRF)

b. Specification Sequence Listing on:  
i.  CD-ROM or CD-R (2 copies); or  
ii.  paper

c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9.  Assignment Papers (cover sheet & document(s))

10.  37 CFR 3.73(b) Statement  Power of Attorney  
*(when there is an assignee)*

11.  English Translation Document *(if applicable)*

12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations

13.  Preliminary Amendment

14.  Two (2) Return Receipt Postcards (MPEP 503)  
*(Should be specifically itemized)*

15.  Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*

16.  Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO SB 35 or its equivalent.

17.  Other: Authorization under 37 CFR § 1.136(a)(3) (in duplicate)  
 Other: Letter to the PTO Draftsman: Submission of Formal Drawings  
 Other: Formal Drawing of Figure 1

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76.

Continuation  Divisional  Continuation-in-Part (CIP) of prior application No. 09/018,989  
Prior application information Examiner Yucel, I. Group/Art Unit: 1636

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS** Customer Number or Bar Code Label

Customer No. 26111

or  Correspondence address below

(Insert Customer No. or attach bar code label here)

NAME	STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.			PATENT TRADEMARK OFFICE	
	Attorneys at Law				
ADDRESS					
CITY	STATE	ZIP CODE			
COUNTRY	TELEPHONE	FAX			

NAME (Print Type)	Robert W. Esmond	Registration No. (Attorney/Agent)	32,893
SIGNATURE	Robert W. Esmond		
	Date Dec. 5, 2001		

1146 U.S. PTO  
10/002158  
12/05/01

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$866.00)</b>	<b>Attorney Docket No.</b>	<b>0942.4750003/RWE/MTT</b>
--------------------------------	-------------------	----------------------------	-----------------------------

**Complete if Known**

<b>Application Number</b>	<b>To Be Assigned</b>
<b>Filing Date</b>	<b>Herewith</b>
<b>First Named Inventor</b>	<b>Wu-Bo LI</b>
<b>Examiner Name</b>	<b>To Be Assigned</b>
<b>Group Art Unit</b>	<b>To Be Assigned</b>

<b>METHOD OF PAYMENT (check one)</b>		<b>FEE CALCULATION (continued)</b>					
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:		3. ADDITIONAL FEES Large Entity      Small Entity					
Deposit Account Number	19-0036	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid
Deposit Account Name	Sterne, Kessler, Goldstein & Fox P.L.C.	105	130	205	65	Surcharge - late filing fee or oath	
<input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17		127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
<input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27		139	130	139	130	Non-English specification	
<input checked="" type="checkbox"/> Payment Enclosed:		117	2,520	147	2,520	For filing a request for ex parte reexamination	
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Other*		112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
<b>FEE CALCULATION</b>							
<b>I. BASIC FILING FEE</b>							
Large Entity Fee Code (\$)	Fee	Small Entity Fee Code (\$)	Fee	Fee Description	Fee Paid		
101	740	201	370	Utility filing fee	740.00		
106	330	206	165	Design filing fee			
107	510	207	255	Plant filing fee			
108	740	208	370	Reissue filing fee			
114	160	214	80	Provisional filing fee			
<b>SUBTOTAL (1)</b>		<b>(\$ 740.00)</b>					
<b>2. EXTRA CLAIM FEES</b>							
Extra	Fee from below	Fee Paid					
Total Claims 27	- 20** = 7	X 18.00	= 126.00				
Indep. Claims 1	- 3** = 0	X 0	= 0.00				
Multiple Dependent		0	= 0.00				
Large Entity Fee Code (\$)	Fee	Small Entity Fee Code (\$)	Fee	Fee Description			
103	18	203	9	Claims in excess of 20			
102	84	202	42	Independent claims in excess of 3			
104	280	204	140	Multiple dependent claim			
108	84	209	42	*Reissue independent claims over original patent			
110	18	210	9	*Reissue claims in excess of 20 and over original patent			
<b>SUBTOTAL (2)</b>		<b>(\$ 126.00)</b>					
** or number previously paid, if greater. For Reissues, see above							
<b>3. ADDITIONAL FEES</b>							
Large Entity Fee Code (\$)	Fee	Small Entity Fee Code (\$)	Fee	Fee Description			
105	130	205	65	Surcharge - late filing fee or oath			
127	50	227	25	Surcharge - late provisional filing fee or cover sheet			
139	130	139	130	Non-English specification			
117	2,520	147	2,520	For filing a request for ex parte reexamination			
112	920*	112	920*	Requesting publication of SIR prior to Examiner action			
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action			
115	110	215	55	Extension for reply within first month			
116	400	216	200	Extension for reply within second month			
117	920	217	460	Extension for reply within third month			
118	1,440	218	720	Extension for reply within fourth month			
128	1,960	228	980	Extension for reply within fifth month			
119	320	219	160	Notice of Appeal			
120	320	220	160	Filing a brief in support of an appeal			
121	280	221	140	Request for oral hearing			
138	1,510	138	1,510	Petition to institute a public use proceeding			
140	110	240	55	Petition to revive - unavoidable			
141	1,280	241	640	Petition to revive - unintentional			
142	1,280	242	640	Utility issue fee (or reissue)			
143	460	243	230	Design issue fee			
144	620	244	310	Plant issue fee			
122	130	122	130	Petitions to the Commissioner			
123	130	123	130	Petitions related to provisional applications			
126	180	126	180	Submission of Information Disclosure Stmt			
581	40	481	40	Recording each patent assignment per property (times number of properties)			
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))			
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))			
179	740	279	370	Request for Continued Examination (RCE)			
169	900	169	900	Request for expedited examination of a design application			
Other fee (specify):							
Other fee (specify):							
*Reduced by Basic Filing Fee Paid							
						<b>SUBTOTAL (3)</b>	<b>(\$)</b>

<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>			
Name (Print/Type)	Robert W. Esmond	Registration No (Attorney/Agent)	32,893	Telephone	202-371-2600
Signature	<i>Robert W. Esmond</i>			Date	<i>Dec 5, 2001</i>

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

H E D L E  
R E F

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

LI *et al.*

Appl. No. *To be assigned*

Filed: *HEREWITH*

For: **Method of Nucleic Acid Sequence  
Selection**

Confirmation No. *To be assigned*

Art Unit: *To be assigned*

Examiner: *To be assigned*

Atty. Docket: 0942.4750003/RWE/MTT

**Letter to PTO Draftsman: Submission of Formal Drawings**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith is one (1) sheet of formal drawing with Figure 1, corresponding to the informal drawing submitted with the above-captioned application. Identification of the drawing is provided in accordance with 37 C.F.R. § 1.84(c). Acknowledgment of the receipt, approval, and entry of this formal drawing into this application is respectfully requested.

It is not believed that an extension of time is required, other than any already provided herewith. However, if an extension of time is needed to prevent abandonment of the application, then such extension of time is hereby petitioned. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this Letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

*Robert W. Esmond*  
Robert W. Esmond  
Attorney for Applicants  
Registration No. 32,893

Date: Dec. 5, 2001

1100 New York Avenue, N.W.  
Suite 600  
Washington, D.C. 20005-3934  
(202) 371-2600

SKG: Rev. 126-01 rev.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

J1046 U.S. PRO  
10/002158  
12/05/01

In re application of:

LI *et al.*

Appl. No. *To be assigned*

Filed: *Herewith*

For: **Method of Nucleic Acid Sequence  
Selection**

Confirmation No. *To be assigned*

Art Unit: *To be assigned*

Examiner: *To be assigned*

Atty. Docket: 0942.4750003/RWE/MTT

**Authorization To Treat A Reply As Incorporating An Extension Of  
Time Under 37 C.F.R. § 1.136(a)(3)**

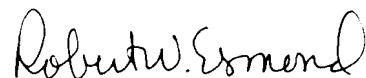
Commissioner for Patents  
Washington, D.C. 20231

Sir:

The U.S. Patent and Trademark Office is hereby authorized to treat any concurrent or future reply that requires a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. The U.S. Patent and Trademark Office is hereby authorized to charge all required extension of time fees to our Deposit Account No. 19-0036, if such fees are not otherwise provided for in such reply. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert W. Esmond  
Attorney for Applicants  
Registration No. 32,893

Date: Dec. 5, 2001  
1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600